

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

ROBERT M. GERBER, <i>et al.</i>	:	
	:	
	:	
Plaintiffs,	:	CIVIL ACTION NO.
	:	05-10782-DPW
v.	:	
ROBERT S. BOWDITCH, JR., <i>et al.</i>	:	
	:	
Defendants.	:	
	:	

**ASSENTED-TO MOTION TO ENLARGE TIME  
TO ANSWER THIRD AMENDED COMPLAINT**

Pursuant to Local Rule 7.1(B)(3), Defendants, Robert S. Bowditch, Jr., Gerald Slavet, Steven Rioff and BSR Associates hereby move for leave to enlarge time to file an Answer to the Third Amended Complaint. The Answer is currently due on Friday, July 7, 2006. Defendants seek an enlargement of this deadline up to and including Friday, July 28, 2006.

In support of this motion, Defendants state that the parties have reached an agreement in principle to resolve the matter, and that an extension will provide an opportunity for the parties to finalize and document that resolution without incurring unnecessary expense.

No prejudice will result from the additional time sought, as Plaintiffs' have assented to the request.

WHEREFORE, Defendants respectfully request that the Court grant this motion for additional time to file their Answer, up to and including July 28, 2006.

Respectfully submitted,

**ROBERT S. BOWDITCH, JR.,  
GERALD SLAVET,  
STEVEN RIOFF, AND  
BSR ASSOCIATES,**  
By their attorneys,

/s/ Christina N. Davilas  
Steven W. Hansen ( BBO# 220820)  
Donald J. Savery (BBO# 564975)  
Christina N. Davilas (BBO# 655477)  
Bingham McCutchen LLP  
150 Federal Street  
Boston, MA 02110  
(617) 951-8000

Dated: July 6, 2006

**CERTIFICATE OF COMPLIANCE WITH LOCAL RULE 7.1**

I hereby certify that counsel for the Defendants have conferred with counsel for the Plaintiffs, who assented to the requested relief.

/s/ Christina N. Davilas  
Christina N. Davilas

CERTIFICATE OF SERVICE

I, Christina N. Davilas, hereby certify that on this 6th day of July, 2006, I served the foregoing document by causing a true copy of same to be delivered by first-class mail to counsel for the Plaintiffs.

/s/ Christina N. Davilas  
Christina N. Davilas